

United States  
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Agriculture

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# 2000 Annual Program Performance Report

## NATIONAL APPEALS DIVISION



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## NATIONAL APPEALS DIVISION

### FY 2000 ANNUAL PROGRAM PERFORMANCE REPORT

The National Appeals Division (NAD) of the U.S. Department of Agriculture was established by the Secretary of Agriculture on October 20, 1994, by Secretary's memorandum 1010-1, pursuant to the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (P. L. 103-354, §271et seq., October 13, 1994). The Act consolidated the appellate functions and staffs of several USDA agencies to provide for independent hearings and reviews of adverse decisions.

NAD is responsible for all administrative appeals arising from program decisions of specified USDA agencies. NAD maintains its headquarters office in Alexandria, Virginia, and administers its appeals system through three regional offices located in Memphis, Tennessee; Indianapolis, Indiana; and Lakewood, Colorado. Hearing Officers are dispersed geographically throughout the nation and operate out of leased office space or home offices. This plan accounts for the accumulated performance data, GPRA knowledge and experience, and organizational changes of the past few years.

NAD has a single mission -- to conduct evidentiary administrative appeal hearings and reviews arising from program operations of assigned agencies.

More information about the National Appeals Division can be found on NAD's Web site  
<http://www.nad.usda.gov>

The following table provides summary information on NAD's achievement of FY 2000 Performance Goals.

<b>NAD PERFORMANCE SUMMARY</b>				
<b>Strategic Goal/ Management Initiative</b>	<b>FY 2000 Performance Goals</b>	<b>Performance</b>		
		<b>FY 1999 Actual</b>	<b>FY 2000 Target</b>	<b>FY 2000 Actual</b>
Goal 1: To conduct timely hearings and issue timely and well reasoned determinations which correctly interpret applicable regulations.	Conduct hearings within mandated time frame. (45 calendar days)	100%	100%	100%
	Issue appeal determinations within statutory and regulatory time frames. (30 calendar days)	75%	77%	77%
	Issue review determinations in accordance with mandated time frames	45%	45%	72%
MI 1: Employ a well-trained staff; treat employees and customers fairly, with dignity and respect.	Increase percent of employees who enroll in and complete at least one NAD/AmeriSchool developed web-based training course via the internet.	N/A	25%	0%
	Reduce the number of substantiated EEO complaints filed by employees.	3	2	0
	Increase the percent of customers who report they were treated fairly and with respect by Hearing Officers.	65%	66%	66%

**Goal 1:** Conduct timely hearings and issue timely and well-reasoned determinations, which correctly interpret applicable regulations.

**Objective:** By 2002, meet the statutorily mandated time frames for conducting appeal hearings, issuing appeal hearing and review determinations, and increase percent of hearing officer determinations upheld on review by 5%.

### Key Performance Goals

Conduct hearings within mandated time frame of 45 calendar days.

**Target:** 100%

**Actual:** 100%

Issue appeal determinations within statutory and regulatory time frames.

**Target:** 77%

**Actual:** 77%

Issue review determinations in accordance with mandated time frames.

**Target:** 45%

**Actual:** 72%

### Rate of Hearings Conducted with Mandated Time Frame

Year	Total Hearings	Total On-Time	Total Waived	Total	Rate	Target
1998	1541	853	343	1196	77%	77%
1999	1186	747	439	1186	100%	100%
2000	1590	1146	344	1590	100%	100%

### Rate of Appeals Determinations Issued within Time Frame

Year	Total Appeal Determinations	Total On-time	Total Extended	Total	Rate	Target
1998	1041	726	2	728	70%	70%
1999	985	739	1	740	75%	75%
2000	1590	1224	0	1224	77%	77%

### Rate of Review Determinations Issued within Time Frame

Year	Total Review Determinations	Total On-time	Total Extended	Total	Rate	Target
1998	677	242	12	254	37%	37%
1999	585	237	19	256	45%	45%
2000	803	558	20	578	72%	45%

**2000 Data:** The results above are based upon data input into NAD's management information system by NAD administrative staff, Hearing officers, and Review Officers. Although the system demonstrates improvements since the 1999 Performance Report, consistency of data input from Regional Offices, training of NAD employees in the definitions of data-gathering, and database project management still challenge tracking system reliability. NAD has contracted for an information technology and management study, which will analyze and recommend final programming modifications to the present information systems. NAD expects remaining database challenges to be resolved this year.

**Analysis of Results:** NAD exceeded one performance goal (Review Determinations) and met two performance goals (Hearings Conducted and Appeal Determinations). Continued achievement of the performance goals supports NAD's priority to provide effective customer service and efficient program delivery. Although statutorily mandated time frames can be waived, NAD's goal is to conduct timely hearings and issue timely determinations in a manner that increases program and administrative efficiency and decreases the cost of operations. These goals support NAD's strategic goal of conducting timely hearings and issuing timely and well-reasoned determinations.

Federal court rulings, which apply to NAD proceedings, affect the need to continue to expand training initiatives and secure additional resources. The severity and frequency of natural disasters and market triggered programs affect the caseload and may affect "on-time" performance targets.

**Current Fiscal Year Performance:** FY 2000 performance for NAD has been consistent and predictable, due in part to the relative stability of the farms programs. Although NAD expects a high degree of stability to continue through 2001, potential new programs, initiated by the new administration, may affect measures in out-years. Preliminary data for FY 2001 reflects that NAD should be able to achieve future performance measure targets.

NAD continues to integrate customer service data, performance data, and periodic performance reviews into its overall performance measurement system.

**Program Evaluations:** None conducted during FY 2000.

**Management Initiative 1:** Employ a well-trained staff; treat employees and customers fairly, with dignity and respect.

**Objective:** By 2003 ensure that all NAD Hearing Officers complete web-based training, increasing by 25% per year. Increase by 3% per year, customer perceptions of fair treatment by NAD.

**Key Performance Goals:**

Increase percent of employees who enroll in and complete at least one NAD/Amerischool developed web-based training course.

**Target: 25%**

**Actual: 0%**

Reduce the number of substantiated EEO complaints filed by employees.

**Target: 2**

**Actual: 0**

Increase the percent of customers who report they were treated fairly and with respect by Hearing Officers.

**Target: 66%**

**Actual: 66%**

**Yearly Rates of Employees for MI1:**

	<b>Web-based Training</b>		<b>Substantiated EEO Complaints</b>		<b>Customers Report Fair Treatment</b>	
<i>Year</i>	<i>Target</i>	<i>Actual</i>	<i>Target</i>	<i>Actual</i>	<i>Target</i>	<i>Actual</i>
1998 (Actual)	N/a	N/a	N/a	3	N/a	N/a
1999 (Actual)	N/a	N/a	N/a	3	N/a	65%
2000	25%	0%	2	0	66%	66%

**2000 Data:** This is the first reported year for MI1. Data from web-based training will come from system administration tools designed to track enrollment and progress of students. Data reported on fair treatment of customers comes from an annual survey designed to solicit feedback from appellants. This survey focuses on general issues of treatment, timeliness, courtesy, etc., rather than satisfaction with appeal decisions. EEO numbers reflect complaints filed and substantiated.

**Analysis of Results:** This report reflects the first measurement reporting for MI1. NAD met or exceeded the performance measures of MI1. Web-based training currently has not been funded and implemented. The measures in MI1 reflect NAD's strong commitment to the "human-based" aspects of providing timely and well-reasoned decisions to NAD customers. The web training envisioned has not been implemented. A current information technology study will analyze NAD's hardware and software requirements needed to support web training throughout the field. In order to ensure employees remain trained, NAD held a 5-day training conference in April. Much of that conference delivered training to hearing officers on a variety of issues relevant to the proper conduct and reporting of hearings. Among those topics emphasized were writing skills, hearing reports, and the organization and proper conduct of hearings. NAD will continue to deliver training via alternative formats until web training becomes implemented.

**Current Fiscal Year Performance:** NAD continues to integrate the new measures in MI1 into organizational performance systems. With an improved funding climate, NAD develops the technical scope of work for the web-based training. The annual customer survey continues to be refined.

**Program Evaluation:** None conducted during FY 2000.